

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STEPHANIE LUKIS, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WHITEPAGES, INC.,

Defendant.

No. 1:19-cv-04871

Judge Gary Feinerman

Mag. Judge Jeffrey Gilbert

WHITEPAGES, INC.'S MOTION FOR SANCTIONS

Pursuant to Federal Rule of Civil Procedure 11 and 28 U.S.C. § 1927, defendant Whitepages, Inc. (“Whitepages”), moves for the Court to award sanctions against plaintiff Stephanie Lukis and her counsel, Beaumont Costales LLC, for continuing to pursue Lukis’s case despite numerous fatal defects.

As set forth in greater detail in the accompanying memorandum of law, as well as the Memorandum in Support of Whitepages, Inc.’s Motion to Strike Class Allegations (“Class Strike Memo”) filed on January 22, 2021 (ECF 119, 122) and Memorandum in Opposition to Motion to Amend (“Amendment Opposition Memo”) filed on the same date (ECF 125), Lukis’s deposition testimony has made it abundantly clear that Lukis is not an adequate class representative and that the Complaint’s allegations under the Illinois Right of Publicity Act, 765 ILCS § 1075/1, *et seq.* (“IRPA”), are ill-founded with Lukis at the helm. Moreover, Beaumont Costales’ failure to heed the obvious unsuitability of Lukis to proceed as a putative class representative and the law firm’s insistence on continuing to pursue her claims despite her testimony render the firm’s lawyers inadequate counsel for the putative class. And the efforts of Lukis and her counsel to continue

pursuing her claim even though it clearly lacks merit, particularly as a federal putative class action, warrant an award of sanctions against Lukis and her counsel under Rule 11 and against her counsel pursuant to 28 U.S.C. § 1927.

WHEREFORE, for the foregoing reasons, as explained fully in the accompanying memorandum of law, Lukis and her counsel should be sanctioned for obstinately continuing to pursue this case with Lukis as the putative class representative.

Dated: February 10, 2021

Respectfully submitted,

WHITEPAGES, INC.

By: /s/ Blaine C. Kimrey

One of its attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2021, a copy of the foregoing was electronically filed in the ECF system. Notice of this filing will be sent to the parties of record by operation of the Court's electronic filing system.

/s/ Blaine C. Kimrey

Blaine C. Kimrey